

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FORTRESS SYSTEMS LLC, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 8:06cv528
§
GENERAL NUTRITION CORPORATION §
and GENERAL NUTRITION CENTERS §
INCORPORATED, §
§
Defendants. §

FINAL JUDGMENT AND ORDER OF DISMISSAL WITH PREJUDICE

On the date indicated below, the parties' Joint Motion to Dismiss came before the Court.

After considering the Motion and all other matters of record in this cause, the Court is of the opinion the Motion should be granted. It is, therefore

ORDERED that this action is hereby dismissed with prejudice to its refiling with each party to bear its own Court costs.

Signed this 23rd day of January, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
UNITED STATES DISTRICT JUDGE

AGREED:

BROWN, WINICK, GRAVES, GROSS,
BASKERVILLE & SCHOENEBAUM, P.L.C.

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